

passed under suspension of the rules:

MR. [JOHN W.] McCORMACK [of Massachusetts]: Mr. Speaker, I move to suspend the rules and pass the resolution (H. Res. 302), which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That the time for debate on a motion to suspend the rules and pass House Concurrent Resolution 25 shall be extended to 4 hours, such time to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs; and said motion to suspend the rules shall be the continuing order of business of the House until finally disposed of.

Varying Suspension Days by Special Order

§ 10.15 Form of unanimous-consent request that the Speaker may recognize Members to move to suspend the rules at any time until an adjournment to a day certain.

On July 2, 1943,⁽¹⁴⁾ a unanimous-consent request was made, as follows:

MR. [JOHN W.] McCORMACK: [of Massachusetts]: Mr. Speaker, I ask unanimous consent that the Speaker be authorized to recognize Members to move to suspend the rules at any time between now and the time that the House takes its recess.

14. 89 CONG. REC. 7038, 78th Cong. 1st Sess.

THE SPEAKER:⁽¹⁵⁾ Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

§ 10.16 Form of resolution providing that at any time on a certain day it shall be in order for the Speaker to entertain motions to suspend the rules notwithstanding Rule XXVII clause 1.

On May 25, 1946,⁽¹⁶⁾ the following resolution reported from the Committee on Rules was called up for consideration and adopted by the House:

Resolved, That at any time on Saturday, May 25, 1946, or Monday, May 27, 1946, it shall be in order for the Speaker to entertain motions to suspend the rules notwithstanding the provisions of clause 1, rule XXVII.⁽¹⁷⁾

§ 11. Recognition to Offer

The Speaker is authorized but not required to recognize for motions to suspend the rules on eligible days, and recognition for such motions is entirely within the discretion of the Speaker.⁽¹⁸⁾ The re-

15. Sam Rayburn (Tex.).

16. 92 CONG. REC. 5746, 79th Cong. 2d Sess.

17. *House Rules and Manual* §902 (1979).

18. See §§11.3–11.7, *infra*. For discussion of the Speaker's power of rec-

jection of a motion to suspend the rules does not preclude the Speaker from exercising his discretion to recognize for a similar motion.⁽¹⁹⁾

Prior to the 93d Congress, preference was given to “individual” motions on the first Monday and to “committee” motions on the third Monday; the rule was amended in the 93d Congress to eliminate such distinction (and to provide for additional days on which the motion would be in order).⁽²⁰⁾

As discussed in § 10, *supra*, motions to suspend the rules which will be entertained on a given day are generally programed in advance and announced to the membership of the House. Bills and resolutions listed for suspension are cleared with the leadership, and the Speaker may decline recognition for a motion which does not have the approval of the Ma-

ognition in relation to any business before the House, see Ch. 29, *infra*.

The Speaker has like discretion as to recognition where he has been authorized to recognize for motions to suspend the rules on a day which is not a regular day for suspension motions (see § 11.3, *infra*).

For recognition for the demand for a second on the motion, see § 12, *infra*.

19. See § 11.9, *infra*.

20. See § 11.1, *infra*.

majority Leader.⁽¹⁾ But the Speaker may recognize for motions to suspend the rules, to pass emergency legislation or for other purposes, which have not been scheduled in advance. For example, on one occasion the Speaker recognized for a motion to suspend the rules and pass emergency legislation immediately after a joint session to hear the President where the President urged the immediate passage of such legislation.⁽²⁾

Many motions to suspend the rules and pass bills and resolutions are offered by the chairman of the committee having jurisdiction over the subject matter of the proposition.⁽³⁾

Recognition Generally

§ 11.1 The 93d Congress adopted rules with an amendment to Rule XXVII clause 1 to eliminate the distinction between committee motions and motions by individual Members (and to authorize recognition by the Speaker for such motions on the first and third Mondays of each

1. See § 11.6, *infra*.

2. See § 9.22, *supra*.

3. See §§ 11.10–11.13, *infra*. The chairman of the committee does not require authorization from the committee (see § 11.11, *infra*).

month and on the Tuesdays immediately following those Mondays).

On Jan. 3, 1973,⁽⁴⁾ the House adopted House Resolution 6, adopting the rules of the 92d Congress, with certain amendments, as the rules of the 93d Congress. One of the amendments changed Rule XXVII clause 1:

In Rule XXVII, clause 1 is amended to read as follows:

“No rule shall be suspended except by a vote of two-thirds of the Members voting, a quorum being present; nor shall the Speaker entertain a motion to suspend the rules except on the first and third Mondays of each month, and on the Tuesdays immediately following those days, and during the last six days of a session.”

Parliamentarian's Note: Prior to its amendment in the 93d Congress, Rule XXVII clause 1 read as follows:

No rule shall be suspended except by a vote of two-thirds of the Members voting, a quorum being present; nor shall the Speaker entertain a motion to suspend the rules except on the first and third Mondays of each month, preference being given on the first Monday to individuals and on the third Monday to committees, and during the last six days of a session.

§ 11.2 Three quorum calls and two record votes on dis-

4. 119 CONG. REC. 17-27, 93d Cong. 1st Sess.

pensing with further proceedings under quorum calls interrupted the reading of the Journal and delayed the Speaker's recognition of a Member to move to suspend the rules and pass a Senate joint resolution proposing a constitutional amendment to abolish use of a poll tax as a qualification for voting in elections of federal officials.

Aug. 27, 1962, was a day on which motions to suspend the rules were in order, and Speaker John W. McCormack, of Massachusetts, intended to recognize Mr. Emanuel Celler, of New York, to move to suspend the rules and pass Senate Joint Resolution 29, proposing an amendment to the Constitution of the United States to abolish the use of a poll tax as a qualification for voting in elections of federal officials.

After the offering of the prayer, a demand was made that the Journal be read in full. The reading was interrupted by three quorum calls and two recorded votes on dispensing with further proceedings under such calls, before the suspension motion was brought up. The House adopted the motion.⁽⁵⁾

Parliamentarian's Note: Rule I was amended in the 92d Congress

5. 108 CONG. REC. 17651-55, 87th Cong. 2d Sess.

to provide that the Journal be read only by motion instead of by demand of any Member.

§ 11.3 Where a Member sought recognition to call up District of Columbia business on the fourth Monday (privileged under Rule XXIV clause 8) and another Member sought recognition to move to suspend the rules and agree to a joint resolution amending the Constitution (privileged pursuant to a unanimous-consent agreement making it in order on the fourth Monday for the Speaker to recognize Members to move suspension and passage of bills), the Speaker recognized for the motion to suspend the rules, the matters being of equal privilege.

On Aug. 27, 1962,⁽⁶⁾ which was the fourth Monday of the month and therefore a day eligible for District of Columbia business, under Rule XXIV clause 8, Speaker John W. McCormack, of Massachusetts, recognized Mr. Emanuel Celler, of New York, to move to suspend the rules and pass a joint resolution (to amend the Constitution to prohibit the use of a poll tax as a qualification for voting)

6. 108 CONG. REC. 17654-70, 87th Cong. 2d Sess.

pursuant to a previous unanimous-consent request making in order on that day motions to suspend the rules. The Speaker overruled a point of order against prior recognition for the motion to suspend the rules:

MR. CELLER: Mr. Speaker, I move to suspend the rules and pass Senate Joint Resolution 29, proposing an amendment to the Constitution of the United States relating to qualifications of electors.

MR. [THOMAS G.] ABERNETHY [of Mississippi]: Mr. Speaker, a point of order.

THE SPEAKER: The gentleman will state his point of order.

MR. ABERNETHY: Mr. Speaker, I make the point of order that this is District Day, that there are District bills on the calendar, and as a member of the Committee on the District of Columbia I respectfully demand recognition so that these bills may be considered.

MR. [CARL] ALBERT [of Oklahoma]: Mr. Speaker, may I be heard on the point of order?

THE SPEAKER: The Chair is prepared to rule, but the gentleman may be heard.

MR. ALBERT: Mr. Speaker, by unanimous consent, suspensions were transferred to this day, and under the rules the Speaker has power of recognition at his own discretion.

MR. ABERNETHY: Mr. Speaker, I respectfully call the attention of the chairman to clause 8, rule XXIV, page 432 of the House Manual. . . .

Mr. Speaker, I submit that rule is clear that when the time is claimed

and the opportunity is claimed the Chair shall permit those bills to be considered.

Therefore, Mr. Speaker, I respectfully submit my point of order is well taken, and that I should be permitted to call up bills which are now pending on the calendar from the Committee on the District of Columbia.

MR. [HOWARD W.] SMITH of Virginia: Mr. Speaker, I should like to be heard on the point of order.

THE SPEAKER: The Chair will hear the gentleman. . . .

THE SPEAKER: The Chair is prepared to rule.

Several days ago on August 14 unanimous consent was obtained to transfer the consideration of business under suspension of the rules on Monday last until today. That does not prohibit the consideration of a privileged motion and a motion to suspend the rules today is a privileged motion. The matter is within the discretion of the Chair as to the matter of recognition.

Speaker's Power of Recognition

§ 11.4 Recognition for motions to suspend the rules is within the discretion of the Chair.

On Feb. 17, 1936,⁽⁷⁾ Speaker Joseph W. Byrns, of Tennessee, recognized for a motion to suspend the rules and indicated such recognition was within his discretion:

MR. [SAM D.] MCREYNOLDS [of Tennessee]: Mr. Speaker, I move to sus-

7. 80 CONG. REC. 2239, 2240, 74th Cong. 2d Sess.

pend the rules and pass the joint resolution (H.J. Res. 491) extending and amending the joint resolution (Public Res. No. 67, 74th Cong.), approved August 31, 1935.

The Clerk read the joint resolution, as follows: . . .

THE SPEAKER: Is a second demanded?

MR. [HAMILTON] FISH [Jr., of New York]: Mr. Speaker, I demand a second.

MR. [MAURY] MAVERICK [of Texas]: Mr. Speaker, a point of order.

THE SPEAKER: The gentleman will state it.

MR. MAVERICK: Mr. Speaker, I am informed that no specific authority to request a suspension of the rules has been given by the committee. May I ask the chairman if specific authority has been granted by his committee on this particular bill? In other words, has specific authority been given the gentleman by the committee to ask for a suspension of the rules?

MR. MCREYNOLDS: Yes; twice.

MR. MAVERICK: On this particular bill?

MR. MCREYNOLDS: Yes.

THE SPEAKER: The Chair may say to the gentleman that it is within the discretion of the Chair to recognize the gentleman's move to suspend the rules.

§ 11.5 Recognition for motions to suspend the rules is entirely within the discretion of the Speaker.

On June 16, 1952,⁽⁸⁾ Speaker Sam Rayburn, of Texas, recog-

8. 98 CONG. REC. 7287 7288, 82d Cong. 2d Sess.

nized a Member to move to suspend the rules and pass a bill with an amendment. In overruling a point of order against the motion, the Speaker discussed his power of recognition:

THE SPEAKER: The Chair is ready to rule again.

Suspension of the rules is a matter that can come up only twice a month, either on the first and third Mondays, or the last 6 days of the session if an adjournment date has been fixed. There can be no amendment offered to the motion to suspend the rules and pass a bill, but it is entirely in order for the Speaker to recognize a Member to move to suspend the rules and pass a bill with amendments and recognition for that is entirely within the discretion of the Chair. The Chair can recognize a Member to move to suspend the rules on the proper day and pass a bill with an amendment that has been authorized by a committee, or if the Chair so desires he can recognize a Member to move to suspend the rules and pass a bill with his own amendment.

The Chair overrules the point of order made by the gentleman from Nebraska.

MR. [CARL T.] CURTIS of Nebraska: Mr. Speaker, a further parliamentary inquiry. Would it be possible to offer a substitute motion to suspend the rules in reference to the motion now before the Chair?

THE SPEAKER: Well, the Chair would not recognize the gentleman for that purpose.

MR. CURTIS of Nebraska: Perhaps I could induce another Member to offer the amendment.

THE SPEAKER: The Chair would not recognize any other Member to make that motion.

On Mar. 16, 1964,⁽⁹⁾ Speaker John W. McCormack, of Massachusetts, answered a parliamentary inquiry on recognition for motions to suspend the rules (in relation to a Senate bill not on the suspension list):

MR. [CHET] HOLIFIELD [of California]: Mr. Speaker, the bill H.R. 9711, to amend the Atomic Energy Act of 1954, is on the suspension calendar for today. However, a similar bill, S. 2448, has been passed by the other body. Therefore, in lieu of calling up H.R. 9711, I move to suspend the rules and pass the bill S. 2448

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 202 of the Atomic Energy Act of 1954 is hereby amended to read as follows: "During the first ninety days of each session of the Congress, the Joint Committee may conduct hearings in either open or executive session for the purpose of receiving information concerning the development, growth, and state of the atomic energy industry."

THE SPEAKER: Is a second demanded?

MR. [JOHN P.] SAYLOR [of Pennsylvania]: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER: The gentleman will state the parliamentary inquiry.

9. 110 CONG. REC. 5291, 88th Cong. 2d Sess.

MR. SAYLOR: Mr. Speaker, the House Calendar lists a bill to come up under suspension and it is a House bill. Does it not require unanimous consent to suspend the rules and take up a Senate bill?

THE SPEAKER: The Chair will advise the gentleman from Pennsylvania, under the rules of the House, the Speaker may recognize a Member on a motion to suspend the rules.

Is a second demanded?

MR. [CRAIG] HOSMER [of California]: Mr. Speaker, I demand a second.

THE SPEAKER: Without objection, a second will be considered as ordered.

There was no objection.

§ 11.6 On “suspension days,” the motion to suspend the rules is admitted at the discretion of the Speaker, and he may decline to entertain such motions unless they have the approval of the Majority Leader.

On Aug. 2, 1948,⁽¹⁰⁾ Speaker Joseph W. Martin, Jr., of Massachusetts, declined to recognize for a motion to suspend the rules and discussed his power of recognition in relation to such motions:

MRS. [HELEN GAHAGAN] DOUGLAS [of California]: Mr. Speaker, I move to suspend the rules and discharge the Committee on Banking and Currency from further consideration of S. 866.

THE SPEAKER: The Chair does not recognize the gentlewoman for that

purpose. The majority leader has already stated that there will be no suspensions today; and, under the practice of the House, suspensions must be cleared through the majority leader. The gentlewoman is not recognized for that purpose.

MRS. DOUGLAS: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER: The gentlewoman will state it.

MRS. DOUGLAS: Under paragraph 1 of rule XXVII it is in order, is it not, for the Speaker to entertain a motion to suspend the rules?

THE SPEAKER: Yes, it is within the discretion of the Speaker, and the Speaker states that he will not recognize any Member for that purpose without clearing it through the majority leader, and using that discretion merely refuses to recognize the gentlewoman from California.

MRS. DOUGLAS: Mr. Speaker, a further parliamentary inquiry.

THE SPEAKER: The gentlewoman will state it.

MRS. DOUGLAS: Today is the first Monday in August, and under the aforementioned rule individual Members may move to suspend the rules and pass important legislation. Do I understand clearly then that the Chair is exercising his discretion in denying the House to vote on the so-called Taft-Ellender-Wagner bill, even under the procedure requiring a two-thirds vote of the Members present?

THE SPEAKER: The Chair will state that the rule has existed for more than 50 years, and in accordance with the procedure which has been followed by not only the present Speaker but every other Speaker, the Chair does not rec-

10. 94 CONG. REC. 9639, 80th Cong. 2d Sess.

ognize the gentlewoman from California for that purpose.

MRS. DOUGLAS: Mr. Speaker, I ask unanimous consent for the present consideration of S. 866.

THE SPEAKER: The Chair does not recognize the gentlewoman for that purpose.

§ 11.7 The Speaker stated, in recognizing a Member for a unanimous-consent request to consider a bill, that if any amendments were offered he would ask the Member to withdraw the request and to move to suspend the rules and pass the bill because of the vital importance that the bill pass immediately and without amendment

On July 5, 1943,⁽¹¹⁾ Speaker Sam Rayburn, of Texas, recognized a Member for a unanimous-consent request:

THE SPEAKER: The Chair recognizes the gentleman from Michigan [Mr. Dingell].

MR. [JOHN D.] DINGELL: Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 35) to authorize the use for war purposes of silver held or owned by the United States.

The Clerk read the title of the bill.

The House discussed the bill under the reservation of the right to object, and the Speaker then

11. 89 CONG. REC. 7213, 7214, 78th Cong. 1st Sess.

answered a parliamentary inquiry as follows:

MR. [FREDERICK C.] SMITH of Ohio: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER: The gentleman will state it.

MR. SMITH of Ohio: It is my understanding this bill will be read and will be subject to amendment, providing there is no objection to its consideration under the unanimous-consent request.

THE SPEAKER: The gentleman is correct, it would be subject to amendment, but the Chair is going to be very frank with the gentleman. If there are going to be amendments offered to this bill the Chair will request the gentleman from Michigan to withdraw his request, and then the Chair will recognize the gentleman from Michigan to move to suspend the rules and pass the bill. The Chair thinks it vitally important that this bill pass immediately, and he thinks it should be passed without amendment. The Chair will accept the responsibility if it is put up to the Chair.

§ 11.8 The Majority Leader was recognized to offer a motion to suspend the rules and agree to a resolution authorizing the Speaker to declare recesses for the remainder of the session.

On Dec. 21, 1970,⁽¹²⁾ the Majority Leader was recognized for a motion to suspend the rules (a

12. 116 CONG. REC. 43069, 91st Cong. 2d Sess.

unanimous-consent request having been objected to):

MR. [CARL] ALBERT [of Oklahoma]: Mr. Speaker, I ask unanimous consent that it shall be in order during the remainder of this session for the Speaker to declare a recess at any time subject to the call of the Chair.

THE SPEAKER:⁽¹³⁾ Is there objection to the request of the gentleman from Oklahoma?

MR. [H. R.] GROSS [of Iowa]: Mr. Speaker, I object.

THE SPEAKER: Objection is heard.

MR. ALBERT: Mr. Speaker, I offer a resolution and move to suspend the rules and adopt the resolution (H. Res. 1317), making it in order for the Speaker to declare a recess at any time, subject to the call of the Chair.

The Clerk read as follows:

H. RES. 1317

Resolved, That during the remainder of this session it shall be in order for the Speaker to declare a recess at any time, subject to the call of the Chair.

THE SPEAKER: Is a second demanded?

MR. GROSS: Mr. Speaker, I demand a second, and I make a point of order that a quorum is not present.

THE SPEAKER: Without objection, a second will be considered as ordered.

MR. ALBERT: Mr. Speaker, I withdraw the resolution until a later time in the day.

THE SPEAKER: The gentleman from Oklahoma withdraws his resolution at the present time.

MR. GROSS: Mr. Speaker, I withdraw the point of order.

Parliamentarian's Note: Once a second has been ordered (or considered as ordered by unanimous consent) on a motion to suspend the rules, unanimous consent is required to withdraw the motion.

Reoffering Motion

§ 11.9 Rejection of a motion to suspend the rules and agree to a resolution does not preclude the Speaker from exercising his discretionary authority to recognize a Member to offer a similar resolution under suspension of the rules.

On Dec. 21, 1973,⁽¹⁴⁾ Speaker Carl Albert, of Oklahoma, overruled a point of order against recognition for a motion to suspend the rules:

MR. [HARLEY O.] STAGGERS [of West Virginia]: Mr. Speaker, I move to suspend the rules and agree to the House Resolution (H. Res. 760) to take from the Speaker's table the Senate bill S. 921, to amend the Wild and Scenic Rivers Act, with a Senate amendment to the House amendment thereto, and agree to the Senate amendment to the House amendment with an amendment.

The Clerk read as follows:

H. RES. 760

Resolved, That immediately upon the adoption of this resolution the

13. John W. McCormack (Mass.).

14. 119 CONG. REC. 43271, 93d Cong. 1st Sess.

bill S. 921, with the Senate amendment to the House amendment thereto, be, and the same is hereby, taken from the Speaker's table to the end that the Senate amendment to the House amendment be, and the same is hereby, agreed to with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the text of the bill H.R. 12129.

The House rejected the motion.

Parliamentarian's Note: The House had earlier rejected a motion to suspend the rules (offered by Mr. Staggers) and agree to a resolution to take the same bill with the Senate amendment from the table and agree to the Senate amendments with an amendment. The second motion offered by Mr. Staggers proposed a different amendment (text of another House bill) to the Senate amendment.

Recognition of Committee Chairman

§ 11.10 The Speaker may recognize the chairman of a committee to move to suspend the rules and agree to a resolution submitted from the floor, providing for the disposal of business on the Speaker's table.

On Sept. 17, 1962,⁽¹⁵⁾ Speaker pro tempore Carl Albert, of Okla-

15. 108 CONG. REC. 19610, 87th Cong. 2d Sess.

homa, recognized the Chairman of the Committee on Ways and Means for a motion to suspend the rules and pass a resolution submitted from the floor (not introduced and referred to committee):

MR. [WILBUR D.] MILLS [of Arkansas]: Mr. Speaker, I move to suspend the rules and agree to the House Resolution 800.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution the bill H.R. 7431, with the Senate amendments thereto, be, and the same hereby is, taken from the Speaker's table, to the end that the Senate amendments be, and the same are hereby agreed to. . . .

THE SPEAKER PRO TEMPORE: Without objection, a second will be considered as ordered.

There was no objection.

On Aug. 27, 1962,⁽¹⁶⁾ the Chairman of the Committee on Interstate and Foreign Commerce was recognized for a motion to suspend the rules and pass a resolution submitted from the floor:

MR. [OREN] HARRIS [of Arkansas]: Mr. Speaker, I move to suspend the rules and agree to House Resolution 769.

The Clerk read the resolution as follows:

Resolved, That immediately upon the adoption of this resolution the

16. 108 CONG. REC. 17671, 87th Cong. 2d Sess.

bill H.R. 11040, with the Senate amendment thereto, be, and the same is hereby, taken from the Speaker's table, to the end that the Senate amendment be, and the same is hereby, agreed to.

A similar resolution was brought up under suspension of the rules by the Chairman of the Committee on Banking and Currency on Oct. 14, 1972:⁽¹⁷⁾

MR. [WRIGHT] PATMAN [of Texas]: Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1165) to extend the authority of the Secretary of Housing and Urban Development with respect to the insurance of loans and mortgages under the National Housing Act.

The Clerk read as follows:

H. RES. 1165

Resolved, That immediately upon the adoption of this resolution the joint resolution (H.J. Res. 1301) to extend the authority of the Secretary of Housing and Urban Development with respect to the insurance of loans and mortgages under the National Housing Act, together with the Senate amendment thereto, be and the same is hereby, taken from the Speaker's table to the end that the Senate amendment be, and the same is hereby, agreed to.

Parliamentarian's Note: Disposal of Senate amendments to a House bill on the Speaker's table before the stage of disagreement must be accomplished by unanimous consent, by suspension of the rules, or by a resolution from

17. 118 CONG. REC. 36408, 92d Cong. 2d Sess.

the Committee on Rules if the Senate amendments require consideration in Committee of the Whole; but if authorized by the committee with jurisdiction, a motion under Rule XX clause 1 may be made to send the bill to conference if entertained by the Speaker in his discretion.

Thus a motion to suspend the rules may be used to adopt a resolution drafted to accomplish the disposal of such Senate amendments. The resolution is submitted directly from the floor, and is numbered when presented under a motion to suspend the rules, since prior introduction would require its reference to the Committee on Rules.

§ 11.11 The chairman of a committee is not required to have authorization of his committee to move to suspend the rules and pass a bill in the House.

On Aug. 5, 1948,⁽¹⁸⁾ Speaker Joseph W. Martin, Jr., of Massachusetts, recognized Charles A. Eaton, Chairman of the Committee on Foreign Affairs, to move to suspend the rules and pass a bill within the committee's jurisdiction. The Speaker overruled a

18. 94 CONG. REC. 9890, 9891, 80th Cong. 2d Sess.

point of order against recognition for the motion:

MR. [FREDERICK C.] SMITH of Ohio: Mr. Speaker, I make a point of order against the motion.

THE SPEAKER: The gentleman will state his point of order.

MR. SMITH of Ohio: Mr. Speaker, I am informed by members of the Committee on Foreign Affairs of the House that this motion has not been formally and specifically authorized by the committee.

THE SPEAKER: The Chair may say, in order to clarify the situation, that it is possible for the chairman of a committee to offer the motion on his own responsibility and if he does the Chair will recognize him.

§ 11.12 The Speaker recognized the Chairman of the Committee on Interstate and Foreign Commerce to offer a resolution, under suspension of the rules, which provided for taking a Senate bill with a nongermame Senate amendment to a House amendment from the Speaker's table and concurring in the Senate amendment with a further amendment (the text of an introduced bill).

On Dec. 21, 1973,⁽¹⁹⁾ the Chairman of the Committee on Interstate and Foreign Commerce of-

¹⁹ 119 CONG. REC. 43251, 93d Cong. 1st Sess.

ferred a motion to suspend the rules:

MR. [HARLEY O.] STAGGERS [of West Virginia]: Mr. Speaker, I move to suspend the rules and agree to the House resolution (H. Res. 759) to take from the Speaker's table the Senate bill S. 921, to amend the Wild and Scenic Rivers Act, with a Senate amendment to the House amendment thereto, and agree to the Senate amendment to the House amendment with an amendment. The Clerk read as follows:

H. RES. 759

Resolved, That immediately upon the adoption of this resolution the bill S. 921, with the Senate amendment to the House amendment thereto, be, and the same is hereby, taken from the Speaker's table to the end that the Senate amendment to the House amendment be, and the same is hereby, agreed to with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the text of the bill H.R. 12128.

Mr. Craig Hosmer, of California, demanded a second on the motion, and the House ordered a second (on an automatic roll call vote when a quorum failed to vote by tellers on ordering a second). The motion to suspend the rules was, however, defeated.

Parliamentarian's Note: The bill which was the subject of the motion, S. 921, was a bill to amend the Wild and Scenic Rivers Act. In the Senate, action had been postponed on a conference report on

the Energy Emergency Act (S. 2589), and the Senate had attached a nongermane amendment (consisting of a compromise version of that conference report) to the House amendment to S. 921. It was determined in the House therefore to seek to move to suspend the rules to amend that nongermane Senate amendment with the text of another version of the Energy Act (H.R. 12128). If the motion had been adopted, S. 921, with the House amendment to the Senate amendment to the House amendment, would have been returned to the Senate for an up-or-down vote, any further Senate amendment being in the third degree and not in order.

§ 11.13 The Speaker was authorized, by unanimous consent, to recognize the chairman of one of the standing committees to move to suspend the rules and pass a particular bill on a day other than a suspension day.

On Dec. 12, 1967,⁽²⁰⁾ the House agreed to a unanimous-consent request relating to recognition for a motion to suspend the rules:

MR. [CARL] ALBERT [of Oklahoma]:
Mr. Speaker, I ask unanimous consent

²⁰. 113 CONG. REC. 35946, 90th Cong. 1st Sess.

that it may be in order on Friday next for the Speaker to recognize the gentleman from Texas [Mr. Teague], to call the veterans bill (H.R. 12555) under suspension of the rules.

THE SPEAKER:⁽¹⁾ Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

§ 12. Seconding the Motion; Recognition to Demand Second

Rule XXVII clause 2⁽²⁾ formerly required a second, if demanded, on all motions to suspend the rules:

All motions to suspend the rules shall, before being submitted to the House, be seconded by a majority by tellers, if demanded.

Clause 2 was amended in the 96th Congress (H. Res. 5, Jan. 15, 1979) to delete the requirement for a second where printed copies of the measure as proposed to be passed have been available for at least one legislative day.

The majority vote required on a second is a majority of those present and voting, and, if a sec-

1. John W. McCormack (Mass.).
2. *House Rules and Manual* §906 (1973). second where printed copies of the measure as proposed to be passed have been available for at least one legislative day.